

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SHARON K. WHITEHEAD, Individually )  
and as Executor of the Estate of JAMES T. )  
WHITEHEAD, )  
Plaintiff )  
v. ) 1:18CV91  
AIR & LIQUID SYSTEMS )  
CORPORATION, et al., )  
Defendants. )

**ORDER**

This matter is before the Court on the parties' Joint Motion to Vacate Entry of Default, (ECF No. 183), and to Dismiss Claims Without Prejudice. (ECF No. 362.) Plaintiff, Sharon K. Whitehead, Individually and as Executrix of the Estate of James T. Whitehead, Deceased, and Defendant BFK, Inc., Inc. jointly move for this Court to vacate the entry of default against BFK, Inc. and to permit Plaintiff to voluntarily dismiss this action against Defendant BFK, Inc.

Based on representations to the Court and for good cause shown,

IT IS HEREBY ORDERED that the entry of default against BFK, Inc., (ECF No. 183), is hereby VACATED and Plaintiff's claims against Defendant BFK, Inc. in this matter are hereby DISMISSED WITHOUT PREJUDICE, pursuant to Federal Rules of Civil Procedure 41(a)(2). Each party will bear its own costs.

This, the 26<sup>th</sup> day of August 2020.

/s/ Loretta C. Biggs  
United States District Judge